

U.S. Application No. 09/828,407
Reply to Final Office Action dated June 16, 2006

PATENT
450100-03127

REMARKS/ARGUMENTS

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Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-16 are currently pending. Claims 1, 8, 15 and 16, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification and Drawings. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,154,600 to Newman et al. (hereinafter, merely "Newman") in view of U. S. Patent No. 6,535,252 to Bruls (hereinafter, merely "Bruls").

Claim 1 recites, *inter alia*:

"A video editing device for use with a computer readable recording and playing device operable to allow video material recording and playback and to allow non-linear editing of the video material ...

whereby the video frames are output from said frame storage means in real-time." (emphasis added)

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As understood by Applicants, Newman relates to a media editor for the storage, editing and retrieval of audio/visual information. Consumers may replay the captured hypermedia in addition to selectively capturing and manipulating hypermedia portions, or clips, using a graphical user interface (GUI). Captured clips appear as icons on the GUI and consumers may combine clips to affect a wide variety of editing functions.

As understood by Applicants, Bruls relates to a device for receiving, storing and displaying television images. The device comprises a buffer for storing television images. The device further comprises a control device for generating a first control signal for bringing the device from the first to the second state, and a second control signal for bringing the device from the second to the first state.

Applicants submit that neither Newman nor Bruls teach or suggest the above identified feature of claim 1. Specifically, Applicants submit that neither Newman nor Bruls teach or disclose a video editing device for use with a computer readable recording and playing device operable to allow video material recording and playback and to allow non-linear editing of the video material, as recited in claim 1. Specifically, Newman teaches that in contrast to conventional personal computer expansion bus devices, the dual paths of Newman eliminate the need to transfer large amounts of data from the storage 222 through the bus 214 to the media editor 210 during hypermedia capture. *Newman* col. 3, lines 48-53. Newman further discloses that it eliminates the need for a personal computer and enables the incorporation of conventional home entertainment components, such as VCRs, camcorders and compact disc players, into a stand-alone, non-linear hypermedia editing system. *Newman* col. 8, lines 39-43. On the contrary, the instant invention uses a computer readable recording medium and the main controller 11 therein includes a central processing unit (CPU) 111, a memory unit 112 having

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random access memory (RAM), a read only memory (ROM) 113, and an input/output buffer 115, which are connected to each other through an internal bus 118. *Instant Application ¶57.* Therefore, Newman teaches away from the instant invention. On the other hand, Bruls is strictly directed to receiving, storing and displaying television images. The control device that Bruls discloses can only be operated in conjunction with a television and not a computer readable recording medium. Nowhere in its disclosure does Bruls teach or suggest the use of a computer readable recording medium. Thus, Applicants submit that Bruls also teaches away from the instant invention.

Therefore, in view of the foregoing Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 8, 15 and 16 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner

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specifically indicate those portion or portions of the reference, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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